

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

<b>SAFEWAY, INC.,</b>	*	
Plaintiff,	*	
	*	
v.	*	Case No. RWT 04cv3929
	*	
<b>SUGARLOAF PARTNERSHIP, LLC,</b>	*	
Defendant;	*	
	*****	
<b>SUGARLOAF PARTNERSHIP, LLC,</b>	*	
Plaintiff,	*	
	*	
v.	*	Case No. RWT 05cv679
	*	
<b>SAFEWAY, INC.,</b>	*	
Defendant.	*	

**ORDER**

Upon consideration of Sugarloaf Partnership, LLC's Motion to Remand and for Costs or in the Alternative to Abstain [Case No. 05cv679, Paper No. 18], Sugarloaf Partnership, LLC's Motion for an Abstention and Remand Order [Case No. 04cv3929, Paper No. 20], Safeway, Inc.'s Motion to Consolidate [Case No. 04cv3929, Paper No. 14], Sugarloaf Partnership, LLC's Motion for Partial Summary Judgment [Case No. 04cv3929, Paper No. 49], Sugarloaf Partnership, LLC's Motion to Strike Safeway, Inc.'s Expert Report [Case No. 04cv3929, Paper No. 46], Safeway, Inc.'s Motion to Amend Complaint [Case No. 04cv3929, Paper No. 52], and the oppositions and replies to each motion, and for the reasons stated in the accompanying memorandum opinion, it is this 27th day of March, 2006, by the United States District Court for the District of Maryland,

**ORDERED**, that Sugarloaf Partnership, LLC's Motion to Remand and for Costs or in the Alternative to Abstain [Case No. 05cv679, Paper No. 18] is **DENIED**; and it is further

**ORDERED**, that Sugarloaf Partnership, LLC's Motion for an Abstention and Remand Order

[Case No. 04cv3929, Paper No. 20] is **DENIED**; and it is further

**ORDERED**, that Safeway, Inc.'s Motion to Consolidate [Case No. 04cv3929, Paper No. 14] is **GRANTED**; and it is further

**ORDERED**, that **CASE NOS. 04cv3929 and 05cv679** are **CONSOLIDATED**, all further pleadings shall be filed in Case No. 04cv3929, and the Clerk of the Court is directed to **ADMINISTRATIVELY CLOSE CASE NO. 05cv679**; and it is further

**ORDERED**, that all scheduling orders entered in Case No. 04cv3929 shall apply to the consolidated case; and it is further

**ORDERED**, that Sugarloaf Partnership, LLC's Motion for Partial Summary Judgment [Case No. 04cv3929, Paper No. 49] is **DENIED**; and it is further

**ORDERED**, that Sugarloaf Partnership, LLC's Motion to Strike Safeway, Inc.'s Expert Report [Case No. 04cv3929, Paper No. 46] is **GRANTED**; and it is further

**ORDERED**, that Safeway, Inc.'s Motion to Amend Complaint [Paper No. 52] is **GRANTED**; and it is further

**ORDERED**, that Sugarloaf Partnership, LLC, shall answer or otherwise respond to the Amended Complaint on or before April 10th, 2006.

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/s/  
ROGER W. TITUS  
UNITED STATES DISTRICT JUDGE